

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office. JUN 20 1970

Returned to applicant for correction

Corrected application filed. Map filed AUG 17 1970 under 25719

The applicant. Area West, Incorporated, c/o Chilton Engineering, 421 Court
of Elko, County of
State of Nevada 89801, hereby makes application for permission to change the
Point of Diversion, Manner & Place of Use
of water heretofore appropriated under 00452, Humboldt River Adjudication

(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

1. The source of water is Spring Creek & Tributaries
(Name of stream, lake or other source.)
2. The amount of water to be changed 71 a.f. 0.577 c.f.s.
(Second feet, acre feet.)
3. The water to be used for Recreation - Reservoir No. 2
(If for stock state number and kind of animals.)
4. The water heretofore used for Irrigation, Stockwater & Domestic
(If for stock state number and kind of animals.)
5. The water is to be diverted at the following point SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 16, T33N, R57E, MDM at a
point from which the NW corner of said Section 16 bears N 11° 57' 49" W 1962.63 feet
(Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.)
6. The existing point of diversion is located within NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 16, T33N, R57E, MDM at a point
from which the NW corner of said Section 16 bears N 19° 28' 05" W 2964.48 feet
(If point of diversion is not changed, do not answer.)
7. Proposed place of use Portions of SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 16, T 33 N, R 57 E,
(Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.)
MDM totaling 6.5 acres. This is also the land to be inundated by impounded waters.
8. Existing place of use SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 16, T 33 N, R 57 E, MDM totaling 24.34
(Describe by legal subdivisions. If presently used for irrigation, state number of acres irrigated.)
acres as indicated on map
9. Use will be from April 15 to August 15 of each year.
(Month) (Month)
10. Use has been from April 15 to August 15 of each year.
(Month) (Month)

11. Description of proposed works.

Earth fill dam approximately 25 feet high and 300 feet long with spillway & control structure for maintaining 71 a.f. of impounded waters inundating 6.5 acres of land.
(Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.)
(State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.)
Plans and specifications will be submitted as required.

12. Estimated cost of works. \$10,000.00

13. Estimated time required to construct works. 2 years

14. Remarks. Water Right being changed will be supplemented with a well,

Application #25719, which will be used to maintain water level in reservoir

during the non irrigation season. Applicant's Address: 492 Fifth Street, Elko Nevada 89801
Compared md/ jw Applicant Area West Incorporated

PRO: 11/5/70 BY-Edward J. & Ethyl Harsh

Pro. overruled 10-22-71,

See Ruling 1802

By s/ Mark Chilton

Agent

421 Court Elko, Nevada 89801

APPROVAL

OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions: This permit to change the point of diversion, manner, and place of use of the waters of Spring Creek and Tributaries as heretofore granted under the Humboldt River Decree is issued subject to the terms and conditions imposed in said Decree and with the understanding that no other rights on the source will be affected by the change proposed herein. This permit is further issued subject to the conditions set forth in the State Engineer's ruling dated October 22, 1971.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.30 cubic feet per second but not to exceed

71.00 acre feet per season

Actual construction work shall begin on or before April 26, 1972

Proof of commencement of work shall be filed before May 26, 1972

Work must be prosecuted with reasonable diligence and be completed on or before April 26, 1973

Proof of completion of work shall be filed before May 26, 1973

Application of water to beneficial use shall be made on or before April 26, 1976

Proof of the application of water to beneficial use shall be filed on or before May 26, 1976

Map in support of proof of beneficial use shall be filed on or before May 26, 1976

Commencement of work filed JUN 18 1973
Completion of work filed JUN 18 1973
Proof of beneficial use filed AUG 24 1987
Cultural map filed
Certificate No. 12487 Issued AUG 13 1990
Recorded Bk Page

IN TESTIMONY WHEREOF, I, Roland D. Westergard, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 26th day of October

A.D. 19 71

State Engineer